

REMARKS

Applicants have now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of September 13, 2006.

Reconsideration of the Application is requested.

The Office Action

Claims 1-3, 6-12, 15-18, and 21 remain in this application. Claims 4-5, 13-14 and 19-20 have been canceled. Claims 1, 10, and 17 are currently amended.

Claims 1-3, 6-12, 15-18, and 21. stand rejected under 35 U.S.C. § 102(b) as being anticipated by Bartok (U.S. Patent No. 5,737,533).

Claims 10-12, 15, and 16 stand rejected under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement.

The § 112 rejection

The phrase "comparable color values" has been removed from the claims. The phrase "shades of the color value" has been substituted in its stead. Support for the new limitation can be found at paragraph [0019] of the Applicant's original specification. As the offending language has been removed, it is respectfully submitted that the § 112 rejection is now moot.

Comments

A difference between Bartok and the present application is that Bartok changes the colors in the original image, while the present application does not. This difference occurs in a setup portion of both Bartok and the present application, when colors are assigned to functions. This stage happens before a user uses the system to perform the function. During its initial setup process 332, Bartok creates and paints hotspot objects (344 and 346 in fig. 7). Bartok refers to step 332 as the mapping process (col. 12, line 29). This is understood to mean that once the hotspots are created, they are then assigned a color, that is, the colors are changed during mapping (See Fig. 7, 346, a sub-step of step 332, "Paint Hot Spot Objects").

The Applicant distinguishes this initial setup stage from later downstream usage of both Bartok and the present application, as discussed in the interview of November 21, 2006. The present amendments to the claims clarify the setup, that

is, the configuration of the pixel color map, as opposed to the end use of the pixel color map as a difference between Bartok and the present application.

Claim 1 now calls for a sensitive region to be initially designated in a pixel color map by an administrator without altering the pixel color map. In this setup stage, Bartok alters the pixel color map. In the November 21 interview, the Applicant and the Examiner discussed col. 12, lines 52-61 where Bartok states that the create processes (**340, 342, 344**) are followed by painting **346** each hotspot with a unique color designation. The present amendment to claim 1 emphasizes that the present application does not alter the pixel color map during the setup process. Therefore, it is respectfully submitted that **claim 1**, and **claims 2, 3, and 6-9** dependant therefrom now distinguish patentably and unobviously over the references of record

Similarly, **claim 10** calls for initially mapping all regions of said pixel color map image that comprise at least one color value leaving the image with its original color composition. As discussed above, this limitation distinguishes over Bartok. Claim 10 further emphasizes this difference by distinguishing between an initial mapping phase and a performance phase. The initial mapping phase would correspond to steps **102** and **104** of FIGURE 5 of the present application, whereas the performance phase would correspond to the loop of steps after **104** in the same figure. It is therefore respectfully submitted that **claim 10** and **claims 11, 12, 15, and 16** dependant therefrom distinguish patentably and unobviously over the references of record.

Similarly, **Claim 17** now calls for initially mapping an algorithm to all occurrences of the at least first pixel color value, including occurrences of the at least first pixel color value outside of the selected region, without altering the pixel color map image so that selections of any occurrence of the pixel color value or shade of the pixel color value by a subsequent user causes the computer system to perform reading and performing steps. Like claim 10, claim 17 distinguishes between the setup phase and a downstream usage phase. For these reasons, it is respectfully submitted that **claim 17**, and **claim 18** dependent therefrom now distinguish patentably and unobviously over the references of record.

CONCLUSION

For the reasons detailed above, it is submitted all claims remaining in the application (Claims 1-3, 6-12, 15-18, and 21) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he is hereby authorized to call Mark S. Svat, at Telephone Number (216) 861-5582.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & MCKEE, LLP

11/28/04

Date



Mark S. Svat
Reg. No. 34,261
1100 Superior Avenue, 7th Floor
Cleveland, Ohio 44114-2579
(216) 861-5582